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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 BRIAN KENNETH STOFFEL,
16 Defendant.

CASE NO. 1:22-CR-00073-JLTO-SKO

STIPULATION AND PROTECTIVE ORDER
BETWEEN THE UNITED STATES AND
DEFENDANT BRIAN KENNETH STOFFEL

COURT: Hon. Sheila K. Oberto

17 WHEREAS, the discovery in this case is voluminous and contains a large amount of personal
18 and confidential information including but not limited to dates of birth, driver's license numbers,
19 telephone numbers, residential addresses, and social security numbers of victims of the charged scheme
20 ("Protected Information"); and

21 WHEREAS, the parties desire to avoid both the necessity of large scale redactions and the
22 unauthorized disclosure or dissemination of this information to anyone not a party to the court
23 proceedings in this matter; and

24 WHEREAS, it would hamper the review of said discovery related to identity theft charges if the
25 Protected Information had to be redacted;

26 The parties agree that entry of a stipulated protective order is appropriate.

27 THEREFORE, Defendant Brian Kenneth Stoffel, by and through his counsel of record ("Defense
28 Counsel"), and the United States of America, by and through Assistant United States Attorneys Laura D.

1 Withers and Joseph Barton, hereby agree and stipulate as follows:

2 1. This Court may enter a protective order pursuant to Rule 16(d) of the Federal Rules of
3 Criminal Procedure, and its general supervisory authority.

4 2. This Order pertains to all discovery provided to or made available to Defense Counsel as
5 part of discovery in this case (hereafter, collectively known as “the discovery”).

6 3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share any
7 documents that contain Protected Information with anyone other than Defense Counsel attorneys,
8 designated defense investigators, and support staff. Defense Counsel may permit the Defendant to view
9 unredacted documents in the presence of his attorney, defense investigators, and support staff. The
10 parties agree that Defense Counsel, defense investigators, and support staff shall not allow the
11 Defendant to copy Protected Information contained in the discovery. The parties agree that Defense
12 Counsel, defense investigators, and support staff may provide the Defendant with copies of documents
13 from which Protected Information has been redacted.

14 4. The discovery and information therein may be used only in connection with the litigation
15 of this case and for no other purpose. The discovery is now and will forever remain the property of the
16 United States of America (“Government”). Defense counsel will return the discovery to the
17 Government at the conclusion of the case after the exhaustion of all direct and collateral appeals.

18 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to
19 ensure that it is not disclosed to third persons in violation of this agreement.

20 6. Defense Counsel shall be responsible for advising the Defendant, employees, and other
21 members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

22 7. In the event that Defendant substitutes counsel, undersigned Defense Counsel agrees to
23 withhold discovery from new counsel unless and until substituted counsel agrees also to be bound by
24 this Order.

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1 IT IS SO STIPULATED.

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3 Dated: March 24, 2022

PHILLIP A. TALBERT
United States Attorney

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5 By: /s/Laura D. Withers
LAURA D. WITHERS
6 Assistant United States Attorney

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8 Dated: March 24, 2022

By: /s/Jaya C. Gupta
JAYA C. GUPTA
Attorney for Defendant
9 BRIAN KENNETH STOFFEL

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11 IT IS SO ORDERED.

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13 Dated: March 24, 2022


UNITED STATES MAGISTRATE JUDGE